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January 23, 2023

Via ECF and E-Mail

Honorable Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Brandon Becker*
19 Cr. 704 (LAP)

Dear Judge Preska:

As Your Honor is aware, I am counsel to Mr. Brandon Becker in the above-referenced matter, appointed on November 9, 2022, pursuant to the provisions of the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006A. As per the Court’s direction, this correspondence is submitted to update the Court on our progress. In light of the considerations outlined below, we request an adjournment of the trial date (currently scheduled on May 15, 2023) to December 4, 2023.

The defense requests an adjournment of the trial date due to the voluminous discovery materials in this matter that still need to be accessed, organized and duplicated, before we can begin to review and prepare for trial, which we also anticipate will require substantial time. As the Court is aware, Julie de Almeida, Esq., was appointed Coordinating Discovery Attorney in this matter to assist the defense in organizing the discovery materials so that they can be efficiently accessed and reviewed. In her Declaration (Declaration of Julie de Almeida, submitted herewith as Exhibit A), Ms. de Almeida details the discovery-related challenges. The government produced a hard drive containing a massive amount of discovery materials, well over the equivalent of 105 bankers boxes of documents. (See Exhibit A at ¶¶ 7-9). Additionally, there are other hard drives obtained from prior counsel which contain other materials and information which the defense must review. (See Exhibit A at ¶ 14). The great volume of discovery is particularly challeng-

ing to organize and make accessible because there are many different forms of materials (documents, emails, audio and video files); produced from numerous sources in a variety of file types and formats; with some materials encrypted or otherwise difficult to access. These technical difficulties have made Ms. de Almeida's task a complicated, difficult undertaking; her offices have been working on this matter since mid-December, 2022, and require an additional three weeks to complete. (See Exhibit A at ¶ 16).

We respectfully request that trial be adjourned to December 4, 2023. We require this time to receive and review the voluminous discovery materials, conduct investigation, continue to meet with our client and prepare for trial. Notably, we have two trial commitments among the defense team that impact our request for time. I will be commencing trial on September 18, 2023, in the matter of *United States of America v. Mauricio Hernandez-Pineda*, 15 Cr. 379 (PKC); and my co-counsel, Attorneys Anthony Cecutti and Kestine Thiele, are scheduled to commence trial on October 10, 2023, in the matter of *United States of America v. Cory Martin*, 20 Cr. 549 (AMD), in the Eastern District of New York (which will take an estimated three weeks to complete).

We have discussed our request for a trial adjournment with the government and were advised that the government intends to submit a response.

Thank you. Should the Court have any questions or concerns, or should any further information be required, kindly contact the undersigned.

Respectfully submitted,

/s/ Richard J. Ma

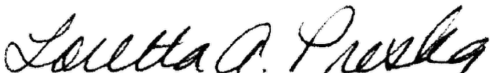
Richard J. Ma, Esq.
Counsel to Brandon Becker

Enclosure

cc via e-mail: A.U.S.A. David Lewis
Anthony Cecutti
Kestine Thiele
Brandon Becker

The trial date is adjourned. The parties shall appear for trial on December 4, 2023 in Courtroom 12A. Defense counsel shall inform the Court if their other trial commitments change. The Court finds that the time between May 15, 2023, and December 4, 2023, is excluded from calculation under the Speedy Trial Act. Because of the Defendant's stated need for more time to prepare for trial, the exclusion is in the interest of justice.

SO ORDERED.


1/24/2023